

Senate File 2354

S-5135

Amend Senate File 2354 as follows:

1. Page 1, before line 1 by inserting:

<Section 1. Section 68A.402A, subsection 1, paragraph d, Code 2009, is amended to read as follows:

d. The name and mailing address of each person who has made one or more in-kind contributions to the committee when the aggregate market value of the in-kind contributions in a calendar year exceeds the applicable amount specified in paragraph "b". In-kind contributions shall be designated on a separate schedule from schedules showing contributions of money and shall identify the nature of the contribution and provide its estimated fair market value. A committee receiving an in-kind contribution shall report the estimated fair market value of the in-kind contribution at the time it is provided to the committee. A person providing an in-kind contribution to a committee shall notify the committee of the estimated fair market value of the in-kind contribution at the time the in-kind contribution is provided to the committee. For purposes of this section, the estimated fair market value of the in-kind contribution shall be reported regardless of whether the person has been billed for the cost of the in-kind contribution.

Sec. _____. Section 68A.402B, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 3. If a person who files an independent expenditure statement and a disclosure report, pursuant to section 68A.404, determines that the person will no longer make an independent expenditure, the person shall notify the board within thirty days following such determination by filing a termination report on forms prescribed by the board.>

2. Page 1, line 5, by striking <one hundred> and inserting <one hundred seven hundred fifty>

3. Page 1, by striking lines 11 through 15 and inserting:

<2. a. An entity, other than an individual or individuals, shall not make an independent expenditure or disburse funds from its treasury to pay for, in whole or in part, an independent expenditure made by another person without the authorization of a majority of the entity's board of directors, executive council, or similar organizational leadership body of the use of treasury funds for an independent expenditure involving a candidate or ballot issue committee. Such authorization must occur in the same calendar year in which the independent expenditure is incurred.

b. Such authorization shall expressly provide whether the board of directors, executive council,

1 or similar organizational leadership body authorizes
2 one or more independent expenditures that expressly
3 advocate the nomination or election of a candidate or
4 passage of a ballot issue or authorizes one or more
5 independent expenditures that expressly advocate the
6 defeat of a candidate or ballot issue.

7 c. A foreign national shall not make an independent
8 expenditure, directly or indirectly, that advocates the
9 nomination, election, or defeat of any state or local
10 candidate or the passage or defeat of any ballot issue.
11 As used in this section, "foreign national" means a
12 person who is not a citizen of the United States and
13 who is not lawfully admitted for permanent residence.
14 "Foreign national" includes a foreign principal, such
15 as a government of a foreign country or a foreign
16 political party, partnership, association, corporation,
17 organization, or other combination of persons that has
18 its primary place of business in or is organized under
19 the laws of a foreign country. "Foreign national" does
20 not include a person who is a citizen of the United
21 States or who is a national of the United States.>

22 4. Page 1, line 18, after <statement.> by inserting
23 <All statements and reports required by this section
24 shall be filed as an electronic mail attachment, or
25 electronic filing as prescribed by rule.>

26 5. Page 1, by striking lines 19 through 23 and
27 inserting:

28 ~~<a. The requirement to file an independent~~
29 ~~expenditure statement under this section does not~~
30 ~~by itself mean that Subject to paragraph "b", the~~
31 ~~person filing the independent expenditure statement~~
32 ~~is required to register and shall file reports~~
33 ~~under sections 68A.201 and 68A.402 and 68A.402A. An~~
34 ~~initial report shall be filed at the same time as the~~
35 ~~independent expenditure statement. Subsequent reports~~
36 ~~shall be filed according to the same schedule as the~~
37 ~~office or election to which the independent expenditure~~
38 ~~was directed.~~

39 (1) A supplemental report shall be filed after a
40 primary or general election if the person making the
41 independent expenditure either raises or expends more
42 than one thousand dollars.

43 (2) A report filed as a result of this paragraph
44 "a" shall not require the identification of individual
45 members who pay dues to a labor union, organization, or
46 association, or individual stockholders of a publicly
47 traded business corporation.

48 6. Page 1, line 31, after <aggregate> by inserting
49 <, or within forty-eight hours of disseminating the
50 communication to its intended audience, whichever is

1 earlier. For purposes of this section, an independent
2 expenditure is made when the independent expenditure
3 communication is purchased or ordered regardless
4 of whether or not the person making the independent
5 expenditure has been billed for the cost of the
6 independent expenditure>
7 7. Page 2, after line 19 by inserting:
8 <g. A certification that the board of directors,
9 executive council, or similar organizational leadership
10 body expressly authorized the independent expenditure
11 or use of treasury funds for the independent
12 expenditure by resolution or other affirmative
13 action within the calendar year when the independent
14 expenditure was incurred.>
15 8. Page 2, line 25, by striking <the subject of>
16 and inserting <benefited by>
17 9. By striking page 3, line 31, through page 4,
18 line 5, and inserting:
19 <f. If the person responsible is a corporation,
20 the words "paid for by", the name and address of
21 the corporation, and the name and title of the
22 corporation's chief executive officer shall appear on
23 the material.>
24 10. Page 4, after line 9 by inserting:
25 <h. If the published material is the result of an
26 independent expenditure subject to section 68A.404, the
27 published material shall include a statement that the
28 published material was not authorized by any candidate,
29 candidate's committee, or ballot issue committee.>
30 11. Page 6, after line 26 by inserting:
31 <Sec. _____. EMERGENCY RULES. The board shall adopt
32 emergency rules under section 17A.4, subsection 3,
33 and section 17A.5, subsection 2, paragraph "b", to
34 implement the provisions of this Act and the rules
35 shall be effective immediately upon filing unless
36 a later date is specified in the rules. Any rules
37 adopted in accordance with this section shall also be
38 published as a notice of intended action as provided
39 in section 17A.4.
40 Sec. _____. EFFECTIVE UPON ENACTMENT. This Act,
41 being deemed of immediate importance, takes effect upon
42 enactment.>
43 12. Title page, line 3, by striking <and>
44 13. Title page, line 3, after <applicable> by
45 inserting <, and including effective date provisions>
46 14. By renumbering as necessary.

JEFF DANIELSON